

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**LINDSAYCA INC**

**CIVIL ACTION NO. 6:20-CV-01122**

**VERSUS**

**JUDGE JUNEAU**

**CUSTOM PROCESS EQUIPMENT MAGISTRATE JUDGE HANNA  
LLC, ET AL**


**JUDGMENT**

**THIS MATTER** was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation, Rec. Doc. 15. After an independent review of the record, including the applicable law, the objections filed by Plaintiff Lindsayca, Inc. and the response filed by Defendants Custom Process Equipment, LLC and Louisiana Machinery Company, LLC, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

**IT IS ORDERED, ADJUDGED, AND DECREED** that Defendants' Motion to Dismiss, Rec. Doc. 8, is **GRANTED IN PART** and **DENIED IN PART**. The Motion is granted with respect to Plaintiff's claims under the Louisiana Warehouse Receipts Act, and thus, those claims are **DISMISSED WITH PREJUDICE**. The Motion is denied to the extent that it seeks a more definite statement pursuant to Fed. R. Civ. P. 12(e). Finally, the Motion is denied

to the extent that it seeks dismissal of Plaintiff's breach of contract claim(s) or its claims against LMC based on the single business enterprise doctrine; while these claims are insufficiently pled in the current complaint, the Court declines to dismiss them on that basis and instead will **GRANT** Plaintiff's Alternative Motion for Leave to Amend its Complaint pursuant to Fed. R. Civ. P. 15(a)(2).

**THUS DONE AND SIGNED** in Lafayette, Louisiana, on this 23rd day of March, 2021.



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MICHAEL J. JUNEAU  
UNITED STATES DISTRICT JUDGE